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09/201,018	11/30/1998	ROBERT ROSIN	SONYA-47894	1036

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EXAMINER

KOENIG, ANDREW Y

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 09/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/201,018

Applicant(s)

ROSIN ET AL.

Examiner

Andrew Y Koenig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6-9, 11, 14, 19-22, 24-28, 36-41, 43, 45, 48-49, 53-55, 58, and 60 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,623,613 to Rowe et al.

Regarding claim 1, Rowe teaches displaying categories and subcategories, channels, and programs with additional data (which equates to the claimed associated individual content) by a graphical user interface, see figures 2-4 and 6-8. Rowe displays a set of categories and subcategories, plurality of channels related to the category and subcategories (col. 7, ll. 19-21). Additionally, Rowe teaches displaying information regarding the focused channel, as shown in figures 2-4, 6-8, which are shown simultaneously and enables the selection of a category, related channel and individual content by the user (col. 9, ll. 47-67).

Regarding claim 2, Rowe teaches navigating in the display among the categories, related channels, and associated individual content (col. 2-3, ll. 51-4).

Regarding claim 6, Rowe teaches displaying individual content fig. 2-4, 6-8, labels 56 and 90, which occupies a substantial portion of the display.

Regarding claim 7, Rowe teaches a household, which reads on client that displays the graphical user interface (fig. 1; fig. 2-4, 6-8).

Regarding claim 8, Rowe teaches establishing a connection to a source (fig. 1, label 30).

Regarding claim 9, Rowe teaches a remote control (fig. 1, label 40; fig. 5), which enables the user to select among the set of categories, related set of channels and associated data.

Regarding claim 11, Rowe teaches television programming (fig. 2-4, 6-8).

Regarding claim 14, Rowe teaches that in the selectable channel includes information related to the selectable channel (fig. 2-4, 6-8, label 90).

Regarding claim 19, the limitations of claim 19 have been addressed in the discussion of claims 1 and 9.

Regarding claim 20, Rowe teaches a focus frame (label 60), which equates to the claimed selection enabling means.

Regarding claim 21, Rowe teaches the using the focus frame to scroll to additional categories (col. 8, ll. 38-67, col. 9, ll. 49-67).

Regarding claim 22, Rowe teaches the focus frame to enable the user to scroll through the set of channels in a category (col. 8, ll. 59-63).

Regarding claim 24, the limitations of claim 24 have been addressed in the discussion of claim 1. Claim 24 adds the limitation of "means for establishing an interactive data connection." Rowe teaches a two-way communications link between

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the headend (col. 6, ll. 42-49, col. 7, ll. 1-15), clearly the system of Rowe must establish a communication link with the headend in order to transmit the interactive data.

Regarding claim 25, Rowe teaches a multiple channel interactive data system (see figures 2-4, 6-8).

Regarding claims 26 and 27, Rowe teaches a digital cable system (col. 6, ll. 31-40) and a satellite system (col. 1, ll. 21-24).

Regarding claim 28, as shown in figure 1, set-top converter (label 32) is connected between the headend (claimed source) and the receiving unit (claimed display).

Regarding claim 36, the limitations of claim 36 have been addressed in the discussion of claims 1 and 14.

Regarding claims 37 and 38, Rowe teaches video clips and real-time video (col. 14, ll. 32-38).

Regarding claim 39, as shown in figures 2-4 and 6-8, Rowe teaches content provider information.

Regarding claim 40, as shown in figures 2-4 and 6-8, Rowe teaches channel information.

Regarding claim 41, as shown in figures 2-4 and 6-8, Rowe teaches program information.

Regarding claim 43, Rowe displays the program title (see figures 2-4, and 6-8).

Regarding claim 45, Rowe teaches displaying the program summary (fig. 2-4, 6-8).

Regarding claim 48, Rowe teaches displaying the next program in chronological order (col. 3, ll. 18-21).

Regarding claim 49, Rowe teaches displaying particular information relating to the program information (fig. 2-4, 6-8).

Regarding claim 53, the limitations of claim 1 have been addressed in the discussion of claim 1. Additionally, Rowe teaches initially displaying the categories of potential interest to the user and enables the user to select a category and a subcategory, and displaying the channels to the selected category (col. 3, ll. 5-21; col. 3-4, ll. 64-7).

Regarding claim 54, Rowe teaches a remote control (fig. 5) for enabling the user to select a category and displaying a set of channels related to the selected category (col. 3, ll. 5-21; col. 3-4, ll. 64-7).

Regarding claim 55, Rowe teaches a remote control (fig. 5) for enabling the user to select a desired channel and displaying the individual content associated with the selected channel (col. 15-16, ll. 36-4).

Regarding claim 58, Rowe teaches displaying a set of channels related to a category simultaneously with the set of categories (see fig. 2-4, 6-8).

Regarding claim 60, Rowe teaches simultaneous display of individual content associated with the selected channel and set of channels (fig. 2-4, 6-8).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23, 44, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,623,613 to Rowe et al.

Regarding claim 23, Rowe is silent on clicking in an area and the area transitions to a full-display mode. Official Notice is taken that clicking in an area where the area transitions into full-display mode is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by clicking in an area which in turn transitions into full-display mode in order to choose a program using a cursor in a user-interface and providing a user friendly visual oriented guide thereby simplify program selection.

Regarding claim 44, Rowe is silent on the program length. Official Notice is taken that program length is notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe to include program length in order to aid the user in choosing a desirable program to watch.

Regarding claim 46, Rowe is silent on programs start and end time. Official Notice is taken that start and end time is notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Rowe to include start and end time in order to aid the user in choosing a desirable program to watch and schedule the appropriate amount of time.

5. Claims 3, 4, 59, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,623,613 to Rowe et al. in view of U.S. Patent 5,880,768 to Lemmons et al.

Regarding claim 3, Rowe teaches a central storage location (label 12) for storing the EPG and the additional data. Accordingly, Rowe fails to explicitly teach displaying a set of channels substantially instantaneously, due to the information being stored remotely. The system of Lemmons teaches storing program guide data with additional data and software in memory (col. 7, ll. 20-30) in order to access the information quickly and efficiently. Accordingly, Lemmons teaches clearly displaying a set of channels related to a category substantially instantaneously upon selection of the category, in order to display information quickly to the user and encouraging interactivity.

Regarding claim 4, Rowe teaches a central storage location (label 12) for storing the EPG and the additional data. Accordingly, Rowe fails to explicitly teach displaying a set of channels substantially instantaneously, due to the information being stored remotely. The system of Lemmons teaches storing program guide data with additional data and software in memory (col. 7, ll. 20-30) in order to access the information quickly and efficiently. Accordingly, Lemmons teaches clearly displaying a set of channels related to a category substantially instantaneously upon selection of the category, in order to display information quickly to the user and encouraging interactivity.

Regarding claim 59, the limitations of claim 59 have been addressed in the discussion of claim 3.

Regarding claim 61, the limitations of claim 61 have been addressed in the discussion of claim 4.

6. Claims 5, 10, 12, 29, 30, 32, 42, 50, 51, 52, 56, 57, 62, and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,623,613 to Rowe et al. in view of U.S. Patent 5,940,073 to Klosterman et al.

Regarding claim 5, Rowe is silent on interactive navigation of the individual content. Klosterman teaches navigating the individual content (see. fig. 6(a-d)) from the guide. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by navigating through the individual content as taught by Klosterman in order to facilitate the user to get more information regarding a program.

Regarding claim 10, Rowe is silent on teaching the individual content as interactive data. Klosterman teaches navigating through interactive data, such as web sites (fig. 6d; col. 9-10, ll. 54-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by navigating through the interactive data as taught by Klosterman in order to gather information from a variety of sources, such as the web site for a program, thereby enabling the user to obtain more information and providing a user-friendly system.

Regarding claim 12, Rowe teaches an extension such as a preview section (col. 14, ll. 32-38). However, Rowe is silent on a plurality of extensions. Klosterman teaches displaying the current time (fig. 4(a)). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by adding to the display the current time as taught by Klosterman in order to display information to the user to choose a program relative to the current time.

Regarding claim 29, the limitations of claim 29 have been addressed in the discussion of claims 1 and 12.

Regarding claim 30, Rowe is silent on displaying the current time. Klosterman teaches displaying the current time (fig. 4(a)). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by adding to the display the current time as taught by Klosterman in order to display information to the user to choose a program relative to the current time.

Regarding claim 32, Rowe teaches embedding video in the guide in the preview section (col. 14, ll. 32-38).

Regarding claim 42, Rowe is silent on live links to other related information. Klosterman teaches links to other web-sites (figure 6c), which reads on live links. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by using live links as taught by Shoff in order to access information from a plurality of sources.

Regarding claim 50, Rowe is silent on live links that are adapted to enable the user to scroll forward to the next information or backward to the previous information.

Klosterman teaches a web browser, which inherently allows the user to scroll forward to the next information and backwards to the previous information via the back and forward buttons (fig. 6d) in order to efficiently view information. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by enabling forward and backward scrolling as taught by Klosterman in order to easily and efficiently access information, thereby providing a friendlier user interface.

Regarding claim 51, Rowe is silent on linking directly to linked information. Klosterman teaches directly linking to the appropriate web sites for information, which equates to linking directly to linked information (col. 11, ll. 36-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by linking directly to linked information as taught by Klosterman in order to receive current up-to-date information.

Regarding claim 52, Rowe is silent on selecting particular information from the program information. Klosterman teaches selecting a link (claimed particular information) from the program information (col. 9-10, ll. 56-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by enabling selection of particular information from the program information as taught by Klosterman in order to promote interactivity and encourage the user to select the best desirable program for themselves.

Regarding claim 56, Rowe teaches enabling the user to navigate among the categories and channels (col. 9, ll. 47-67), while simultaneously displaying the

categories, channels, and associated individual content (fig. 2-4, 6-8), but is silent on navigating the associated individual content. Klosterman teaches navigating the individual content (see. fig. 6(a-d)) from the guide. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by navigating through the individual content as taught by Klosterman in order to facilitate the user to get more information regarding a program.

Regarding claim 57, Rowe is silent on navigating the associated individual content. Klosterman teaches navigating the individual content (see. fig. 6(a-d)) from the guide. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rowe by navigating through the individual content as taught by Klosterman in order to facilitate the user to get more information regarding a program.

Regarding claim 62, the limitations of claim 62 have been addressed in the discussion of claim 52.

Regarding claim 63, the limitations of claim 63 have been addressed in the discussion of claim 52.

7. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,623,613 to Rowe et al. and U.S. Patent 5,940,073 to Klosterman et al. in view of U.S. Patent 5,532,754 to Young et al.

Regarding claim 31, Rowe and Young are silent on a graphical representation between the current time and the total from start to the end of a program. Young

teaches a time relation that represents the relationship between the current time and the total length of the program (fig. 10, label. 72). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Rowe and Young by graphically displaying the elapsed time in order to graphically display the time remaining in the program.

8. Claims 13, 15, 18, 33, 34, 35, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,623,613 to Rowe et al. in view of U.S. Patent 6,240,555 to Shoff et al.

Regarding claim 13, Rowe is silent on teaching a content description language. Shoff teaches displaying web-pages (col. 3, ll. 15-38), additionally, Shoff teaches HTML, which is a content description language (col. 5, ll. 24-33; col. 12, ll. 48-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by using a content description language such as HTML in order to provide a platform independent format, which can be displayed similarly across the different platforms thereby enabling a large quantity of viewers to receive and access the information.

Regarding claim 15, Rowe is silent on teaching a set of channels comprising websites. Shoff teaches a set of channels comprising websites (see figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by having a plurality of channels comprising websites as taught by Shoff in order to provide access to supplemental content for a

variety of programs, thereby enabling the user to access information when desired and in an user-friendly fashion.

Regarding claim 18, Rowe is silent on the user interface comprising a front-end for world-wide-web access. Shoff teaches using the EPG as a front-end for world-wide-web access (col. 14, ll. 14-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by using the user interface as a front-end for world-wide-web access in order to enable the user to easily access the world-wide-web.

Regarding claim 33, the limitations of claim 33 have been addressed in the discussion of claims 1 and 13.

Regarding claim 34, the limitations of claim 34 have been addressed in the discussion of claim 13.

Regarding claim 35, Rowe is silent on decoding HTML content. Shoff teaches displaying HTML content (fig. 7, label 182), which reads on decoding HTML content. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by decoding HTML content as taught by Shoff in order to display the information according to the HTML description format thereby permitting the user to navigate easily.

Regarding claim 47, the limitations of claim 47 have been addressed in the discussion of claim 13.

9. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,623,613 to Rowe et al. in view of U.S. Patent 5,673,089 to Yuen et al.

Regarding claim 16, Rowe is silent on teaching automatically moving from category to category to enable the user to view channels related to each category and individual content associated with each channel. Yuen teaches automatically scanning the channels to surf the content (col. 7-8, ll. 66-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by automatically scanning as taught by Yuen in order to automatically scan the categories and channels thereby enabling the user to effortlessly browse categories while simultaneously freeing the user's hand.

Regarding claim 17, Rowe is silent on teaching automatically moving from channel to channel to enable the user to view the individual content associated with each channel. Yuen teaches automatically scanning the channels to surf the content (col. 7-8, ll. 66-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rowe by automatically scanning as taught by Yuen in order to automatically scan the channels thereby enabling the user to effortlessly browse channels while simultaneously freeing the user's hand.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y Koenig whose telephone number is (703) 306-0399. The examiner can normally be reached on M-Th (7:30 - 6:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

ayk
August 22, 2002


ANDREW FAILE
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